

Andrew Commins
Barrister



YEAR OF CALL: 2004

INN: MIDDLE TEMPLE

JUDICIAL OFFICE:
DEPUTY DISTRICT JUDGE

“ Well known for representing high net worth clients on significant matrimonial finance issues. 'A charming and very persuasive advocate, who is very calm and highly intelligent in his approach to cases.' 'He is wonderfully approachable, extremely thorough both in his preparation and advocacy, and has a very reassuring client manner.' ”

CHAMBERS UK, 2020
FAMILY/MATRIMONIAL

Practice Overview

Andrew is a family law barrister, mediator and author specialising in all matters of family finance and TLATA 1996 disputes. He advises and represents lay clients, trustees and companies, where appropriate. His practice is principally in mid to high net worth cases involving complex matters of fact or law. Andrew is regularly instructed in cases involving property (UK and abroad), farming partnerships, discretionary and constructive trusts, bankruptcy, company interests, nuptial agreements and complex pension disputes. He also has extensive experience of cases involving inherited wealth and pre-marital assets, allegations of conduct and the treatment of post-separation accruals.

Andrew is the contributing author to The Red Book (Family Law Practice) in all matters of financial remedies and cohabitation (TLATA 1996) disputes.

He has recently launched his new website 'Financial Remedy Channel'. The Financial Remedy Channel provides a dedicated online resource for news, judgment summaries and commentary for solicitors, barristers and other professionals specialising in the law of family financial provision.

Andrew accepts instructions as a mediator in all family finance disputes and has over 6 years of experience in the role. He offers solicitors a bespoke form of represented mediation (TLATA 1996 disputes and financial remedy disputes) as well as private FDR appointments as an alternative to court proceedings. He was appointed a Deputy District Judge in 2019.

Areas of Expertise

Divorce & Financial Remedy

Andrew specialises in all matters of family finance including financial remedies on divorce and the dissolution of civil partnerships, cohabitation disputes (TLATA 1996), Schedule 1 applications and related professional negligence claims.

A snap-shot of recent cases includes:

- ▶ Securing extensive disclosure from trustees within financial remedy proceedings under non-party disclosure rules (trust assets in excess of £25m)
- ▶ Advising the trustees of discretionary family trusts holding assets in excess of £20m within a financial remedy claim.
- ▶ Settling a financial remedy claim involving split-shareholdings in a family company after a short marriage.
- ▶ Advising a farming party on settlement of a financial remedy claim.
- ▶ Representing a beneficiary-party of various £3m+ dynastic trusts in a variation of settlement application.
- ▶ Advising and representing a client in a complex multi-property dispute involving disputed constructive and resulting trust interests.
- ▶ Securing orders based on pre-nuptial agreement terms
- ▶ Representing a payee client in a maintenance pending suit claim in which findings of dishonesty were made and adverse inferences drawn.

Family ADR

Andrew offers solicitors of represented clients two bespoke forms of ADR in family finance and cohabitation disputes: the Represented Mediation and the Private Financial Dispute Resolution Meeting. These forms of ADR offer cost-effective, quality and responsive alternatives to lengthy and costly court proceedings.

Other work

Andrew is the contributing author to The Red Book (Family Law Practice) in all matters of financial remedies and cohabitation disputes (TLATA 1996).

Andrew accepts instructions as a mediator in all family finance and TLATA 1996 disputes and has over 6 years of experience in the role. He offers solicitors a bespoke form of represented mediation for their clients as an alternative to court proceedings.

Finally, Andrew also accepts instructions to provide indications to parties within Private Financial Dispute Resolution Meetings.

Related Articles

- ▶ One man's inference is another man's imputation: logic theory and legal practice in TOLATA 1996 claims
- ▶ Three years on: same question, different answer? 'Is there a legal right to gay marriage?'
- ▶ What the Law Commission is really saying about pre-nups
- ▶ A legal right to gay marriage
- ▶ The costs allowance 'revolution' in proceedings for financial relief
- ▶ Conducting conduct cases, financial remedies and FPR
- ▶ Relationships are not built in a day
- ▶ Ancillary relief and sexual (mis) conduct: negating need: K v L
- ▶ Dividing matrimonial property on divorce: colonialism, chauvinism and modernism in Kenya
- ▶ The 'second-wife impact' and ancillary relief

Recommendations

"An extremely safe pair of hands with an unrivalled knowledge of the law and procedure."

LEGAL 500, 2020

FAMILY AND CHILDREN LAW

"Well known for representing high net worth clients on significant matrimonial finance issues. 'His intellect, client skills, preparation and advocacy are all five-star.' 'He is brilliant. He is so thorough and detailed. Clients really like him.' 'Exceptionally bright.' "

CHAMBERS UK, 2019

FAMILY/MATRIMONIAL

"Fiercely bright, personable and determined."

LEGAL 500, 2019

FAMILY AND CHILDREN LAW

"Andrew is one of the go-to juniors locally and is an extremely competent and technical lawyer. When you have one of those unusual or tricky scenarios, Andrew can be relied upon to cut through the issues with clear analysis and client friendly advice. 'Andrew is bright beyond his years and always manages to deliver.'"

CHAMBERS UK, 2018

FAMILY/MATRIMONIAL

Appointments:

- ▶ Deputy District Judge

Qualifications & awards:

- ▶ LLB (European), Exeter LLM/Magister der Rechte, Saaland, Germany; Anglo-American Scholar 2004
Diplock Scholar 2003
- ▶ Baron Dr Ver Heyden de Lancey Award 2004 (Middle Temple)
- ▶ Award for 'Outstanding' grade on Bar Vocational Course Scholar of the Deutsche Akademische Austauschdienst (2002) Germany

Additional information:

Voluntary and other work

Andrew also works in the field of human rights law, with a particular interest in cases involving the rights of families, women, girls and the LGBTI community. He has worked in Kenya as an Informal Justice Consultant for FIDA-Kenya, in London as a lawyer for Article 19 specialising in the protection of the right to freedom of expression, and he volunteers for the European Human Rights Advocacy Centre based at Middlesex University. Andrew's work has involved drafting access to justice strategies, writing analyses of laws as against various international legal standards and advising on applications to the European Court of Human Rights.

Publications and training

Andrew is an experienced legal author. In addition to a variety of articles published on a wide range of family and human rights law topics ranging from international maintenance obligations to equal marriage rights, he is also the author of 'Maintenance Matters' and he is the family-finance contributor to the Family Court Practice ('the Red Book'). Andrew regularly provides lectures and workshops for lawyers and other professionals on the South West and Wales Circuits.



Contact Andrew:

Andrew.Commins@stjohnschambers.co.uk

Contact the clerks:

T: 0117 923 4720

E: clerks@stjohnschambers.co.uk